

AN ORDINANCE 2006-06-01-0669

AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SAN ANTONIO BY AMENDING CHAPTER 35, UNIFIED DEVELOPMENT CODE, SECTION 35-304, OF THE CITY CODE OF SAN ANTONIO, TEXAS BY CHANGING THE ZONING DISTRICT BOUNDARY OF CERTAIN PROPERTY.

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WHEREAS, a public hearing was held regarding this amendment to the Official Zoning Map at which time parties in interest and citizens were given an opportunity to be heard; and

WHEREAS, the Zoning Commission has submitted a final report to the City Council regarding this amendment to the Official Zoning Map of the City of San Antonio; **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. Chapter 35, Unified Development Code, Section 35-304, Official Zoning Map, of the City Code of San Antonio, Texas is amended by changing the zoning district boundary of Lots 7A, 7B, 8A and 8B, NCB 2432 from "R-4" Residential Single Family District to "C-1" (CD-Electrical Auto Repair) Commercial District with a Conditional Use for Electrical Auto Repair.

SECTION 2. The City Council finds as follows:

- A. The conditional use will not be contrary to the public interest.
- B. The conditional use will not substantially nor permanently injure the appropriate use of adjacent conforming property in the same district.
- C. The conditional use will be in harmony with the spirit and purpose for conditional uses as set forth in Section 35-422, Conditional Zoning, of the Unified Development Code.
- D. The conditional use will not substantially weaken the general purposes of the regulations as set forth in Section 35-422, Conditional Zoning, of the Unified Development Code.
- E. The conditional use will not affect adversely the public health, safety and welfare.

SECTION 3. The City Council finds that the following conditions shall be met to insure compatibility with the surrounding properties:

- A. A fifteen (15) foot buffer with Type C plant materials (as required in the UDC) shall be constructed along the east property line.
- B. On site lighting shall use permanently affixed cut off fixtures of 90 degrees or less.
- C. No vehicles shall be kept on premise for more than 3 months.
- D. No storage of junk vehicles.
- E. Vehicles must have current registration.

SECTION 4. All other provisions of Chapter 35 except those expressly amended by this

ordinance shall remain in full force and effect including the penalties for violations as made and provided for in Section 35-491.


SECTION 5. The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

SECTION 6. This Ordinance shall become effective on June 11, 2006.

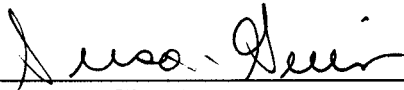
PASSED AND APPROVED this 1st day of June, 2006.

ATTEST:


City Clerk


M A Y O R
PHIL HARDBERGER

APPROVED AS TO FORM:


for City Attorney

Agenda Voting Results

Name: Z-11.

Date: 06/01/06

Time: 07:40:23 PM

Vote Type: Multiple selection

Description: ZONING CASE #Z2006085 CD (District 5): An Ordinance changing the zoning district boundary from "R-4" Residential Single-Family District to "C-1" (CD-Electrical Auto Repair) Commercial District with a Conditional Use for Electrical Auto Repair on Lots 7A, 7B, 8A and 8B, NCB 2432, 616 and 620 Elvira Street as requested by Luis Antonio Rodriguez, Applicant, for Luis Antonio Rodriguez, Owner(s). Staff and Zoning Commission recommend Approval with conditions.

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1		x		
SHEILA D. MCNEIL	DISTRICT 2	Not present			
ROLAND GUTIERREZ	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4	Not present			
PATTI RADLE	DISTRICT 5		x		
DELICIA HERRERA	DISTRICT 6		x		
ELENA K. GUAJARDO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8		x		
KEVIN A. WOLFF	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10	Not present			
MAYOR PHIL HARDBERGER	MAYOR	Not present			

CASE NO: Z2006085CD

Staff and Zoning Commission Recommendation - City Council

Zoning Commission Continuance from April 18, 2006

Date: June 01, 2006

Zoning Commission Meeting Date: May 02, 2006

Council District: 5

Ferguson Map: 616 A6

Applicant:

Owner:

Luis Antonio Rodriguez

Luis Antonio Rodriguez

Zoning Request:

From "R-4" Residential Single-Family District to C-1 (CD-Electrical Auto Repair) Commercial District with a Conditional Use for an Electrical Auto Repair.

Lots 7A, 7B, 8A and 8B, NCB 2432

Property Location:

616 and 620 Elvira Street

Southeast corner of Elvira Street and South Navidad Street

Proposal:

Auto electrical repair shop

Neighborhood Association

Avenida Guadalupe Association, Inc.

Neighborhood Plan:

None

Traffic Impact Analysis

A Traffic Impact Analysis is not required.

Staff Recommendation:

Approval

The applicant wishes to use the property for the expansion of an existing electrical auto repair shop (Rodriguez Electrical Repair) located at 2021 Guadalupe Street. The subject properties are adjacent to "R-4" Residential Single-Family District to the east and across Elvira Street to the north, "C-3 NA" General Commercial Nonalcoholic Sales District and "C-2" Commercial District to the south with "C-3 NA" General Commercial Nonalcoholic Sales District across South Navidad to the west and across Guadalupe Street to the south. The C-1 (CD-Electrical Auto Repair) Commercial District with a Conditional Use for an Electrical Auto Repair would be appropriate with the following conditions: 1. A fifteen (15) foot buffer with Type C plant materials (as required in the UDC) shall be constructed along the east property line. 2. On site lighting shall use permanently affixed cut off fixtures of 90 degrees or less. 3. No vehicles shall be kept on premise for more than 3 months. 4. No storage of junk vehicles. 5. Vehicles must have current registration.

Zoning Commission Recommendation:

Approval with the following conditions: 1. A fifteen (15) foot buffer with Type C plant materials (as required in the UDC) shall be constructed along the east property line. 2. On site lighting shall use permanently affixed cut off fixtures of 90 degrees or less. 3. No vehicles shall be kept on premise for more than 3 months. 4. No storage of junk vehicles. 5. Vehicles must have current registration.

VOTE

FOR 10

AGAINST 0

CASE MANAGER : Pedro Vega 207-7980

ABSTAIN 0

RECUSAL 0

Z2006085 CD

ZONING CASE NO. Z2006085 – April 18, 2006

Applicant: Luis Antonio Rodriguez

Zoning Request: "R-4" Residential Single Family District and "C-3" General Commercial District.

Luis Rodriguez, 2021 Guadalupe, owner, stated he would like to request a two week continuance to allow more time to meet with City staff to discuss his case.

Staff stated there were 57 notices mailed out to the surrounding property owners, 0 returned in opposition and 6 returned in favor and Avenida Guadalupe Association is in opposition.

Everyone present, for and against having been heard and the results of the written notices having been received, the Chairman declared the public hearing closed.

COMMISSION ACTION

The motion was made by Commissioner Rodriguez and seconded by Commissioner Martinez to recommend a continuance until May 2, 2005.

1. Property is located on Lot 7A, 7B, 8A and 8B, NCB 2432 at 616 and 620 Elvira Street.
2. There were 57 notices mailed, 0 returned in opposition and 6 in favor.
3. Staff recommends denial.

AYES: Avila, Robbins, Rodriguez, Gadberry, Marshall, Sherrill, Wright, Martinez, Stribling, Gray

NAYS: None

THE MOTION CARRIED

ZONING CASE NO. Z2006085 – May 2, 2006

Applicant: Luis Antonio Rodriguez

Zoning Request: "R-4" Residential Single Family District to "C-3NA" General Commercial Nonalcoholic Sales District.

Luis Rodriguez, 2021 Guadalupe, owner, stated he has been in contact with staff and is in agreement with their recommendation of "C-3NA" and the conditions.

Z2006085 CD

Staff stated there were 57 notices mailed out to the surrounding property owners, 0 returned in opposition and 10 returned in favor and Avenida Guadalupe Association is in opposition of "C-3" zoning designation. Staff has tried to contacted the neighborhood association to inform them of the amendment and if they support the "C-3NA" amendment but received no response.

Everyone present, for and against having been heard and the results of the written notices having been received, the Chairman declared the public hearing closed.

COMMISSION ACTION

The motion was made by Commissioner Rodriguez and seconded by Commissioner Westheimer to recommend approval with the following conditions:

1. A fifteen (15) feet buffer with Type C plant materials (as required in the UDC) shall be constructed along the east property line.
 2. On site lighting shall use permanently affixed cut off fixtures of 90 degrees or less.
 3. No vehicles shall be kept on premise for more than 3 months.
 4. No storage of junk vehicles.
 5. Vehicles must have current registration.
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1. Property is located on Lot 7A, 7B, 8A and 8B, NCB 2432 at 616 and 620 Elvira Street.
 2. There were 57 notices mailed, 0 returned in opposition and 10 in favor.
 3. Staff recommends denial as requested and approval of "C-1" C.

AYES: Avila, Robbins, Rodriguez, Westheimer, Gadberry, Sherrill, Wright, Martinez, Stribling, Gray

NAYS: None

THE MOTION CARRIED

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.



ZONING CASE: Z2006-085CD

City Council District No. 5
 Requested Zoning Change
 From "R-4"
 To "C-1" CD
 Date: June 1, 2006
 Scale: 1" = 100'

- Subject Property
- 200' Notification

